

(c) Intended use plan

After providing for public comment and review, each State shall annually prepare a plan identifying the intended uses of the amounts available to its water pollution control revolving fund. Such intended use plan shall include, but not be limited to—

- (1) a list of those projects for construction of publicly owned treatment works on the State's priority list developed pursuant to section 1296 of this title and a list of activities eligible for assistance under sections 1329 and 1330 of this title;
- (2) a description of the short- and long-term goals and objectives of its water pollution control revolving fund;
- (3) information on the activities to be supported, including a description of project categories, discharge requirements under subchapters III and IV of this chapter, terms of financial assistance, and communities served;
- (4) assurances and specific proposals for meeting the requirements of paragraphs (3), (4), (5), and (6) of section 1382(b) of this title; and
- (5) the criteria and method established for the distribution of funds.

(d) Annual report

Beginning the first fiscal year after the receipt of payments under this subchapter, the State shall provide an annual report to the Administrator describing how the State has met the goals and objectives for the previous fiscal year as identified in the plan prepared for the previous fiscal year pursuant to subsection (c) of this section, including identification of loan recipients, loan amounts, and loan terms and similar details on other forms of financial assistance provided from the water pollution control revolving fund.

(e) Annual Federal oversight review

The Administrator shall conduct an annual oversight review of each State plan prepared under subsection (c) of this section, each State report prepared under subsection (d) of this section, and other such materials as are considered necessary and appropriate in carrying out the purposes of this subchapter. After reasonable notice by the Administrator to the State or the recipient of a loan from a water pollution control revolving fund, the State or loan recipient shall make available to the Administrator such records as the Administrator reasonably requires to review and determine compliance with this subchapter.

(f) Applicability of subchapter II provisions

Except to the extent provided in this subchapter, the provisions of subchapter II of this chapter shall not apply to grants under this subchapter.

(June 30, 1948, ch. 758, title VI, § 606, as added Feb. 4, 1987, Pub. L. 100-4, title II, § 212(a), 101 Stat. 25.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1381, 1382 of this title.

§ 1387. Authorization of appropriations

There is authorized to be appropriated to carry out the purposes of this subchapter the following sums:

- (1) \$1,200,000,000 per fiscal year for each of fiscal years 1989 and 1990;
- (2) \$2,400,000,000 for fiscal year 1991;
- (3) \$1,800,000,000 for fiscal year 1992;
- (4) \$1,200,000,000 for fiscal year 1993; and
- (5) \$600,000,000 for fiscal year 1994.

(June 30, 1948, ch. 758, title VI, § 607, as added Feb. 4, 1987, Pub. L. 100-4, title II, § 212(a), 101 Stat. 26.)

CHAPTER 27—OCEAN DUMPING

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| Sec.
1401. | Congressional finding, policy, and declaration of purpose. <ol style="list-style-type: none"> (a) Dangers of unregulated dumping. (b) Policy of regulation and prevention or limitation. (c) Regulation of dumping and transportation for dumping purposes. |
| 1402. | Definitions. |
| | SUBCHAPTER I—REGULATION |
| 1411. | Prohibited acts. |
| 1412. | Dumping permit program. <ol style="list-style-type: none"> (a) Environmental Protection Agency permits. (b) Permit categories. (c) Designation of sites. (d) Fish wastes. (e) Foreign State permits; acceptance. |
| 1412a. | Emergency dumping of industrial waste. <ol style="list-style-type: none"> (a) Issuance of emergency permits. (b) "Industrial waste" defined. |
| 1413. | Dumping permit program for dredged material. <ol style="list-style-type: none"> (a) Issuance by Secretary of the Army. (b) Independent determination of need for dumping, other methods of disposal, and appropriate locations; alternative sites. (c) Concurrence by Administrator. (d) Waiver of requirements. (e) Federal projects involving dredged material. |
| 1414. | Permit conditions. <ol style="list-style-type: none"> (a) Designated and included conditions. (b) Permit processing fees; reporting requirements. (c) General permits. (d) Review. (e) Information for review and evaluation of applications. (f) Public information. (g) Display of issued permits. (h) Low-level radioactive waste; research purposes. (i) Radioactive Material Disposal Impact Assessment; Congressional approval. |
| 1414a. | Special provisions regarding certain dumping sites. <ol style="list-style-type: none"> (a) New York Bight Apex. (b) Restriction on use of 106-mile site. |
| 1414b. | Ocean dumping of sewage sludge and industrial waste. <ol style="list-style-type: none"> (a) Termination of dumping. (b) Special dumping fees. (c) Compliance agreements and enforcement agreements. (d) Penalties. (e) Trust account. (f) Use of fees and penalties. |

Sec.

- (g) Enforcement.
- (h) State progress reports.
- (i) EPA progress reports.
- (j) Environmental monitoring.
- (k) Definitions.
- 1414c. Prohibition on disposal of sewage sludge at landfills on Staten Island.
 - (a) In general.
 - (b) Exclusion from penalties.
 - (c) "Sewage sludge" defined.
- 1415. Penalties.
 - (a) Assessment of civil penalty by Administrator; remission or mitigation; court action for appropriate relief.
 - (b) Criminal penalties.
 - (c) Separate offenses.
 - (d) Injunctive relief.
 - (e) Liability of vessels in rem.
 - (f) Revocation and suspension of permits.
 - (g) Civil suits by private persons.
 - (h) Emergencies.
 - (i) Seizure and forfeiture.
- 1416. Relationship to other laws.
 - (a) Voiding of preexisting licenses.
 - (b) Actions under authority of Rivers and Harbors Act.
 - (c) Impairment of navigation.
 - (d) State programs.
 - (e) Existing conservation programs not affected.
 - (f) Dumping of dredged material in Long Island Sound from any Federal, etc., project.
 - (g) Savings clause.
- 1417. Enforcement.
 - (a) Utilization of other departments, agencies, and instrumentalities.
 - (b) Delegation of review and evaluation authority.
 - (c) Surveillance and other enforcement activity.
- 1418. Regulations.
- 1419. International cooperation.
- 1420. Authorization of appropriations.
- 1421. Annual report to Congress.

SUBCHAPTER II—RESEARCH

- 1441. Monitoring and research program.
- 1442. Research program respecting possible long-range effects of pollution, overfishing, and man-induced changes of ocean ecosystems.
 - (a) Secretary of Commerce.
 - (b) Action with other nations.
 - (c) Cooperation of other departments, agencies, and independent instrumentalities.
 - (d) Utilization of personnel, services, and facilities; inter-agency agreements.
- 1443. Research program respecting ocean dumping and other methods of waste disposal.
 - (a) Cooperation with public authorities, agencies, and institutions, private agencies and institutions, and individuals.
 - (b) Termination date for ocean dumping of sewage sludge not affected.
 - (c) Regional management plans for waste disposal.
 - (d) Report on sewage disposal in New York metropolitan area.
- 1444. Annual reports.
 - (a) Report by Secretary of Commerce.
 - (b) Report by Administrator.
 - (c) Report by Under Secretary.
- 1445. Authorization of appropriations.

§ 1401. Congressional finding, policy, and declaration of purpose**(a) Dangers of unregulated dumping**

Unregulated dumping of material into ocean waters endangers human health, welfare, and amenities, and the marine environment, ecological systems, and economic potentialities.

(b) Policy of regulation and prevention or limitation

The Congress declares that it is the policy of the United States to regulate the dumping of all types of materials into ocean waters and to prevent or strictly limit the dumping into ocean waters of any material which would adversely affect human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities.

(c) Regulation of dumping and transportation for dumping purposes

It is the purpose of this Act to regulate (1) the transportation by any person of material from the United States and, in the case of United States vessels, aircraft, or agencies, the transportation of material from a location outside the United States, when in either case the transportation is for the purpose of dumping the material into ocean waters, and (2) the dumping of material transported by any person from a location outside the United States, if the dumping occurs in the territorial sea or the contiguous zone of the United States.

(Pub. L. 92-532, §2, Oct. 23, 1972, 86 Stat. 1052; Pub. L. 93-254, §1(1), Mar. 22, 1974, 88 Stat. 50.)

REFERENCES IN TEXT

This Act, referred to in subsec. (c), means Pub. L. 92-532, which is classified generally to this chapter, chapter 41 (§2801 et seq.) of this title, and chapters 32 (§1431 et seq.) and 32A (§1447 et seq.) of Title 16, Conservation.

AMENDMENTS

1974—Subsec. (b). Pub. L. 93-254 struck out statement of the purpose of this Act as being the regulation of transportation of material from the United States for dumping into ocean waters, and the dumping of material, transported from outside the United States, if the dumping occurs in ocean waters over which the United States has jurisdiction or over which it may exercise control, under accepted principles of international law, in order to protect its territory or territorial sea, now covered by subsec. (c) of this section.

Subsec. (c). Pub. L. 93-254 added subsec. (c).

EFFECTIVE DATE OF 1974 AMENDMENT

Section 2 of Pub. L. 93-254 provided in part that amendment of subssecs. (b) and (c) of this section and sections 1402, 1411, and 1412(a), other than last sentence of subsec. (a), of this title, by Pub. L. 93-254 shall become effective Mar. 22, 1974.

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-688, title I, §1001, Nov. 18, 1988, 102 Stat. 4139, provided that: "This title [enacting sections 1414b and 1414c of this title, amending sections 1268, 1412a, and 1414a of this title, and amending provisions set out as a note under section 2267 of this title] may be cited as the 'Ocean Dumping Ban Act of 1988'."

SHORT TITLE

Section 1 of Pub. L. 92-532 provided: "That this Act [enacting this chapter, chapter 41 (§2801 et seq.) of this